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6.100 Student Rights & Responsibilities (Student)

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October 2011

# 6.101 Disability Support Services

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<b>Responsible Office</b>	<b>Responsible Administrator:</b>	<b>Contact information</b>	<b>Applies to:</b>
Office of University Vice Chancellor of Academic Affairs	Associate Vice Chancellor of Academic Affairs and Students Services	937-766-1890	All Students and Faculty

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## **PART 1**

### **GENERAL OVERVIEW**

#### **Section 1 Introduction**

##### **A. Non-Discrimination Policy**

It is the policy of Antioch University (the “University” or “AU”), in compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and other disability non-discrimination laws, that no student shall, on the basis of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any University program or activity. Antioch University is committed to providing qualified students with a disability an equal opportunity to access the benefits, rights, and privileges of University services, programs, and activities, in the most integrated setting appropriate to the students’ needs. Antioch University is committed to providing reasonable accommodation to qualified students with disabilities in order to ensure that all students have an equal opportunity to benefit from and have access to programs and services.

##### **B. Section 504 of The Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 (hereinafter “Section 504”) prohibits discrimination against persons with disabilities. Specifically, Section 504 states that “no qualified individual with a disability in the United States shall, solely by reason of disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

##### **C. The Americans with Disabilities Act of 1990**

The Americans with Disabilities Act of 1990 (hereinafter the “ADA”) clarifies and strengthens Section 504 of the Rehabilitation Act of 1973. ADA provides protection from discrimination for individuals on the basis of disability. Private institutions of higher education are covered under Title III of the ADA. The focus is on program and physical accessibility to places of public accommodation such as institutions of higher education. This focus includes the whole scope of an institution’s activities including facilities, programs, and employment.

#### **D. “Reasonable Accommodation” Defined**

Reference 34 CFR 104.22 and 34 CFR 104.44

“Reasonable accommodation” means a reasonable modification or adjustment that enables qualified students with disabilities to have equal access to programs and services. Under the law, “reasonable accommodation” may include, but is not limited to, removal of barriers to access of the physical facilities or programs, “academic adjustments” such as modification of academic requirements, policies and procedures, and “auxiliary aids” such as taped texts, interpreters, readers and other similar services and actions. A reasonable accommodation need not be the student’s preferred accommodation as long as it is effective for the purpose of ensuring equal access.

#### **Section 2 Disability Compliance Coordinator**

Reference 34 CFR 104.7(a)

The University is composed of five geographically distinct campuses as well as other University-wide programs such as the Graduate School of Leadership and Change and Antioch University Online (“University-wide Programs”). As a fully integrated, national university, Antioch has vested responsibility for compliance with all federal, state and local laws related to disability non-discrimination in the University’s Vice Chancellor for Academic Affairs, whose contact information is set forth in the table below:

<b>Campus</b>	<b>Disability Compliance Coordinator</b>	<b>Telephone Number</b>	<b>E-mail address</b>
University-wide	Chester Haskell, Vice Chancellor of Academic Affairs	937-769-1351	<a href="mailto:chaskell1@antioch.edu">chaskell1@antioch.edu</a>

#### **Section 3 Disability Support Services**

In addition, the University maintains a Disability Support Services (“DSS”) Office to coordinate services for students with disabilities. Students who require reasonable accommodation(s) as defined above must contact the Disability Support Services Coordinator listed below. Students, faculty, and staff should understand that the University can provide reasonable accommodation for students with disabilities only upon arrangement through the DSS office, and that faculty and staff members should not attempt to arrange reasonable accommodation independent of the DSS Office. The contact information for the DSS Coordinator for each campus or program is set forth below:

Campus	Name of DSS Coordinator	Telephone Number	E-mail address
Los Angeles	Yaru Wang	310-578-1080 Ext. 209	<a href="mailto:ywang@antioch.edu">ywang@antioch.edu</a>
Midwest	Karen Crist	937-769-1335	<a href="mailto:kcrist@antioch.edu">kcrist@antioch.edu</a>
New England (including Clinical Mental Health Counseling online program)	Francine Ziperstein	603-283-2438	<a href="mailto:fziperstein@antioch.edu">fziperstein@antioch.edu</a>
Santa Barbara	Ryan Kasmier	805-962-8179 Ext. 5105	<a href="mailto:rkasmier@antioch.edu">rkasmier@antioch.edu</a>
Seattle	Jill Haddaway	206-268-4151	<a href="mailto:jhaddaway@antioch.edu">jhaddaway@antioch.edu</a>
Graduate School of Leadership & Change, and AU Online	Karen Crist	937-769-1335	<a href="mailto:kcrist@antioch.edu">kcrist@antioch.edu</a>

This DSS Policy has been adopted to broaden understanding of disability non-discrimination laws and to serve as a reference and guide to faculty, staff and students regarding reasonable accommodation for students with disabilities. The DSS Policy provides a brief overview of the relevant laws that have an impact on the provision of reasonable accommodation to students with disabilities; responsibilities and rights of students; responsibilities of the University; reasonable accommodation and non-discrimination policy; AU policies and procedures related to the provision of the various services; and resources.

#### **Section 4      Student Rights**

While the University approaches providing an environment free from disability discrimination in multiple ways, key protections include the following student rights:

1. Students with disabilities have the right to reasonable accommodation, provided that the basic requirements to perform the activities of the program are met. Institutions of higher education are not required to alter their requirements for either admission, graduation, or the academic integrity of the course requirements and the program.
2. Students have the right to confidentiality. Information regarding a student's disability will not be released without a student's permission. Information will be shared with the instructor only to the extent necessary to provide the requested reasonable accommodation or on a need to know basis.

3. Students have the right to appeal any decision made regarding reasonable accommodation through the grievance procedure described in Sections 15-20.

## **Section 5. Student Responsibilities**

Students who seek reasonable accommodation under the ADA or Section 504 are responsible for providing documentation of the nature and extent of the disability. An appropriate reasonable accommodation for each student is determined on a case-by-case basis. The Disability Support Services staff works collaboratively with the student to ensure reasonable accommodation needs are met.

In order to ensure that needed reasonable accommodation is provided in a timely manner, it is the responsibility of the student to:

1. Contact the DSS Office as early as possible so that individual needs can be determined and reasonable accommodation provided in a timely manner.
2. Provide timely notice and documentation of the nature of the disability, and the reasonable accommodation requested, to the DSS Office. Some reasonable accommodation may require significant time to arrange. Requests for reasonable accommodation need to be received by the DSS Office as early as possible and preferably at least one month prior to the beginning of the term for which the request is made. Lack of advance notice may delay the availability of reasonable accommodation. Accommodations are not retroactive.
3. Provide such additional documentation on the nature and extent of the disability as the DSS Office may require in order to determine the appropriate reasonable accommodation. Such documentation may include, but is not limited to: identification of tests administered, test results, description of the covered disability, and recommended reasonable accommodation.
4. Cooperate and collaborate with the DSS Office to develop appropriate and reasonable accommodation(s) on an interactive, individual basis.
5. Contact DSS staff if there are questions or concerns related to reasonable accommodation.
6. Notify the DSS Office regarding changes to class schedule after initial reasonable accommodation(s) have been determined.
7. Request and obtain from the DSS Office each term an electronic Letter of Accommodation (hereinafter referred to as "eLOA") as close to the first week

of the term as possible. To obtain accommodation, the student must acknowledge the eLOA as provided in Section 12(5) below. If a student does not acknowledge the eLOA, the course faculty will be unable to view the eLOA and will be unaware of the student's accommodation(s). Thus, if a student fails to acknowledge the eLOA, Antioch University has no responsibility to provide accommodation(s).

8. For those students who are eligible for an accommodation of extended time, the following policy and procedure will be followed:

Extended time on assignments is to be requested in writing. It is the student's responsibility to initiate communication with the faculty about the extended time on a per assignment basis. Faculty will enter into an interactive dialogue with the student which will result in an agreement about extended time, with due dates provided to the student in writing.

In general, the extended time should be approximately one and one half times the normal time provided for such assignment. (For example, if an exam normally takes one hour, the student should be given one and a half hours. If a paper is due in two weeks, the student should be given three weeks.) In the event that complications arise, faculty must discuss them with the student and attempt to resolve them to their mutual satisfaction. If there are unresolved issues regarding extended time, faculty must contact the DSS Office personnel, who will mediate and work to resolve the issues. Extended time accommodations must not fundamentally alter the course or program of study.

When group work is an essential requirement of a course, an extended time accommodation is often incompatible. Therefore, extended time is typically not approved as an accommodation for group work, as it constitutes a fundamental alteration of the essential requirements of the course.

Faculty must provide an interim grade of INC if the extended time accommodation causes course completion dates to be delayed. The faculty member should indicate in the area designated on the online evaluation form the date on which all work is due, without indicating the reason for the extended deadline.

If any issues arise regarding the requested extension, they are to be discussed and, if needed, mediated through the DSS Office, which will issue a written response.

9. Tutoring for students with learning disabilities is typically considered to be a personal service and not a reasonable accommodation. Tutoring is the responsibility of the student. A list of providers may be available through the DSS Office.
10. For those students who are deaf or hearing impaired and are accommodated



with an interpreter, students must notify interpreters 24 hours in advance if they will be late or absent for meetings or class.

11. Advise the DSS Office of any barriers to accessibility. For example, any student who finds the handicapped parking spaces to be inadequate in terms of design or availability, or any student with specific needs regarding program or activity accessibility, should notify the campus or program DSS Office and request a modification.

## **Section 6      Faculty Responsibilities**

1. When faculty receive an email notifying them that a student has been granted an eLOA, they should immediately review and acknowledge the eLOA. Questions or concerns should be directed to the DSS Office. Instructors are expressly not authorized to unilaterally deny a student an approved academic adjustment. Faculty may not initiate a conversation regarding the nature and extent of a student's disabilities.
2. The syllabus needs to be available 4 weeks before the term begins. If this is not possible, then the reading assignments and schedules need to be available. In part, this is to assure that the DSS office can arrange for books to be provided in alternative format, if needed.
3. Work with the DSS office to make adjustments when needed to accommodate students' needs. For example, if a student has a learning disability, the faculty's course notes may need to be available. Additional recommendations and ideas are available in the Office of DSS.
4. The University must maintain the academic integrity of the course requirements and the program. Accommodations may not alter the essential requirements of the course or program.
5. In course examinations or other procedures for evaluating students' academic achievement, the University shall provide and faculty shall implement methods for evaluating the achievement of students with disabilities that impair sensory, manual, or speaking skills as will best ensure that the results of the evaluation represent the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).

## **Section 7      Antioch University Responsibilities**

Antioch University is committed to providing reasonable accommodation to qualified students with disabilities. In recognizing this commitment the University shall:

1. Comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and its amendments.
2. Notify students of the University's policy on non-discrimination on the basis of disability and of steps a student may take if he/she believes discrimination has taken place. Copies of such policy shall be included in the campus or program course catalogs, recruiting material and on the University websites. This notice shall be included in all formal correspondence that communicates decisions or policies adversely affecting the student's status or rights with the University. It will also include the contact information for the U.S. Department of Education, U.S. Department of Justice, and the U.S. Office for Civil Rights. Each campus or program DSS Office shall maintain and make available current contact information for Local and/or Regional Offices of the U.S. Office for Civil Rights and other local resources and services available to persons with disabilities in higher education.
3. Maintain the academic integrity of programs.
4. No pre-admission inquiry will be made as to whether an applicant has a disability, except as provided by law.

## **Section 8      Antioch University DSS Office Responsibilities**

The DSS Office responsibilities include:

1. Provide an opportunity for students to disclose the presence of a disability and request reasonable accommodation he/she believes is needed for obtaining equal access to the benefits of Antioch's programs and activities.
2. Request documentation confirming the student's disability and assess the appropriateness of the requested reasonable accommodation.
3. Establish procedures by which approved reasonable accommodation can be arranged.
4. Establish confidential record keeping procedures necessary to document institutional responses to requests for reasonable accommodation.
5. Serve as a resource for in-service training for faculty and staff to enhance awareness and understanding of the needs of students with disabilities.
6. Make information available to all students on the services available to students with a disability including the name and location of the DSS Office

and the process for accessing services.

7. Work collaboratively with faculty, staff, and students to identify reasonable accommodation as appropriate for each qualified student with disabilities, to include when appropriate a discussion with each student regarding alternative accommodation(s) and an explanation of the granted accommodation(s).

## **Section 9      Examples of Reasonable Accommodation**

The process of identifying reasonable accommodation for each qualified student with disabilities is made on a case-by-case basis, appropriate to the nature and extent of the student's disability. The following provides examples of reasonable accommodation in the form of academic modifications, auxiliary aids and services and physical access. The following is not an all-inclusive list, as each student's needs must be evaluated in determining what is reasonable under the circumstances.

### **A.      Academic Modifications**

Academic modifications may include, but are not limited to:

1. Flexibility in timelines for completion of courses.
2. Adaptation of the manner in which specific courses are conducted.
3. Flexibility in teaching methods.
4. Changes in the length of time permitted for the completion of degree requirements.
5. Substitution of specific courses required for the completion of degree requirements.

### **B.      Auxiliary Aids and Services**

Auxiliary aids and services are available to students for curricular, co-curricular and extra-curricular activities of the University or outside activities that are considered part of the student's academic program. Such aids and services may include, but are not limited to:

1. Flexible procedures in the admission and registration processes (early or priority registration).
2. Qualified sign language, oral and tactile interpreters, or other technological alternatives.

3. Access to adaptive equipment. Examples: TTY; closed caption devices; amplified telephone receivers; low-vision reading aids; brailled devices and computer enhancements.
4. Provide textbooks and other educational materials in alternative media.
5. Access to faculty and student notes.
6. Release of syllabi, study guides, and other appropriate instructor-produced materials in advance of general distribution and access beyond the regular classroom sessions to slides, films, overheads and other media and taping of class sessions.

**C. Access**

Access may include, but is not limited to:

1. Ongoing review and coordination of efforts to ensure campus or program accessibility including barrier-free design, signage, identification of hazards or mobility barriers, maintenance of access during construction, snow and ice clearance and adequate disability parking.
2. Facilitating physical access to program and services including relocating classes, activities, and services to accessible facilities.
3. Referral to appropriate on-campus and off-campus resources, services and agencies.

## **PART 2**

### **PROCEDURES**

#### **Section 11 Introduction**

Antioch University is committed to providing reasonable accommodation to qualified students with disabilities to ensure that all students have an equal opportunity to benefit from and have access to its programs and services.

The following policies and procedures were developed to ensure equal access to the resources of the DSS Office of each campus or program and to enhance faculty and staff awareness of the services offered. All students requesting reasonable accommodation are required to comply with the policies and procedures. In addition, all students must provide the appropriate documentation in order to receive reasonable accommodation. Students are responsible for any costs associated with obtaining documentation.

#### **Section 12 Procedure for Requesting Reasonable Accommodation**

In order to receive reasonable accommodation, planning must begin early. The University will engage in an interactive process to explore the needs and determine appropriate accommodation(s) with each student on an individual basis. Students requesting reasonable accommodation should:

1. **Initial Consultation.** Schedule an appointment with the DSS Office of the applicable campus or program. The contact information for those offices is set forth in Section 3 above. The initial consultation will include a discussion of the challenges posed by the student's disability and accommodations that could address those challenges.
2. **Documentation.** Bring formal written documentation of the disability, if at all possible, to the first meeting with the DSS staff. Reasonable accommodation will not generally be provided without documentation from a health care provider certifying the existence of the disability. DSS staff will inform students whether existing documentation is sufficient for the University's purposes and what additional documentation may be required.
3. **Request Accommodation.** Request reasonable accommodation from the DSS Office. Please note that reasonable accommodation is based on the nature and extent of the disability.
4. **Faculty Participation in the Interactive Process**

- a. Prior to approving an academic adjustment, the DSS will notify instructional staff of the academic adjustments it plans to approve. If a member of the instructional staff believes that for purposes of the specific program or course, an alternative to the academic adjustment proposed by DSS is equally effective and more appropriate under the circumstances, within five (5) business days of the DSS notice, he or she may contact the DSS to propose the alternative.
  - b. If DSS determines that the instructor's proposed alternative would effectively and appropriately accommodate the student's disability-related needs, the DSS will arrange for a meeting with the student to discuss the proposed alternative.
  - c. DSS will then determine appropriate academic adjustments for the student in accordance with the Antioch University Disability Support Services policy.
5. eLOA. The DSS Office determines whether a student has a documented disability and whether reasonable accommodation is warranted. Each term, the DSS office will consult with the student; if accommodations are warranted, the DSS office will complete the eLOA and send it to the student electronically. When the student receives email notification that the eLOA is available online, the student should follow the instructions in the email to access the link to the eLOA. The student should forward the eLOA on to instructors by entering the course title and the last name of the instructor for each class in which the student intends to request accommodation. The instructor will receive a copy of the eLOA, along with a request for acknowledgement. For privacy reasons, students are not required to forward an eLOA to an instructor if the student does not intend to request accommodation in the course. However, since accommodations are not retroactive, the University recommends that students send eLOAs to all instructors for all courses in which the student is enrolled.

Students will receive email notification when all requested faculty acknowledgements are received. Each signatory is responsible for keeping his or her own copy of the eLOA. If a student fails to acknowledge the eLOA, the course faculty will be unable to view the eLOA and will be unaware of the student's accommodation(s). Antioch University has responsibility to provide accommodations only after the student has acknowledged the eLOA.

If the student is not satisfied with the eLOA, the student should contact the DSS office for further discussion. After final determination by the DSS office, the student may appeal as set forth in Part 4 below.

6. Appeal by Instructor of Approved Academic Adjustment

- a. A member of the instructional staff may appeal an approved academic adjustment by notifying the DSS Coordinator of his or her opinion that use of the approved academic adjustment would result in a fundamental alteration of the academic program, service, or activity. Such notice should be provided as soon as practical after the faculty member is made aware of the approved academic adjustment. The request should normally occur within five (5) business days after receipt by the instructor of the student's eLOA, absent special circumstances that may warrant a later request. Instructors are expressly not authorized to unilaterally deny a student an approved academic adjustment.
- b. The DSS Coordinator will schedule a conference with the instructor, chairperson of the relevant academic department, and Academic Dean (AD) or Provost's designee as soon as practical to discuss the instructor's appeal. The AD will consider all relevant information including the student's need for the approved academic adjustment, the instructor's reasons for his or her appeal, and the nature of the specific academic program or course. The discussion shall include an exploration of alternative accommodations. The AD shall issue a written determination whether, in his or her professional judgment, use of the approved academic adjustment would result in a fundamental alteration of the academic program, service or activity. Such determination shall be provided by written response to the instructor and the DSS Coordinator within three (3) business days following the conference.
- c. In the event that the instructor is not satisfied with the AD's determination, he or she may appeal the AD's decision in writing to the Provost. Such appeal must be received by the Provost within three (3) business days following the AD's determination. The Provost will consider the instructor's appeal, the AD's written determination, and other information he or she deems relevant, and determine whether the AD's decision was an appropriate exercise of his or her professional judgment. The decision of the Provost shall be the final decision of the University.
- d. The University will provide the approved academic adjustments to a student until a final decision has been reached on an instructor's appeal.
- e. In the event that the AD or Provost rescinds the prior approval of an academic adjustment pursuant to this procedure, the DSS Coordinator will immediately notify the student of the reason for rescinding the approval and begin a collaborative and interactive process with the student to develop alternative academic adjustments in accordance with the Antioch

## University Disability Support Services Policy.

### **Section 13 Procedures for Admissions, Enrollment and Registration of a Qualified Antioch Student with Disabilities within Antioch University**

A qualified individual with disabilities may apply for enrollment at any Antioch University campus or program. A qualified individual with disabilities may choose not to seek accommodations when taking courses from any Antioch campus or program; however, Antioch University will accommodate only those individuals with disabilities who comply with the following provisions.

#### **A. Application to and Enrollment in any Antioch University Program (Initial Program)**

1. Antioch University maintains a non-discriminatory admissions policy for persons regardless of race, color, national origin, sex, age, religion, disability, gender identity or expression, sexual orientation, or veteran status. Application for admission is made through the Admissions Office of each campus or University-wide program. There are no differences in the admissions processes for individuals with disabilities.
2. Applicants with disabilities may inquire about AU disability support services and policies. The inquiry and conversations with a DSS Coordinator will not influence the admissions decision. Discussions with DSS Coordinators in advance of application or acceptance to the University are informational only and do not constitute a formal request for accommodation on the part of a prospective student, or a determination of disability on the part of the Office of DSS.
3. Individuals who have been accepted and have enrolled in an AU program should follow the procedures outlined above in Section 12, Procedure for Requesting Reasonable Accommodation.

**B. Process for Registering for Courses outside One's Matriculated Program.** Selected AU courses are open to registration by matriculated students from any AU program. Qualified students with disabilities who are seeking accommodations for Antioch courses other than those offered by their current academic program should follow the standard intra-University registration process for requesting approval to register for an intra-University registration course.

1. If the student is approved to register for a course outside of his or her academic program on his or her "home campus," the student must



notify the home campus DSS coordinator, who will determine what accommodations will be provided for the course. The DSS coordinator will issue a letter of accommodation for the student, which may or may not differ from the prior letter(s) of accommodation.

2. If the student is requesting accommodation and is approved to register for an intra-University registration course offered by another campus ("host campus"), the student must do the following:

a. The student must notify the home campus DSS coordinator of the student's intention to enroll at another AU campus or program.

b. The student must request that the home campus DSS coordinator share the letter(s) of accommodation and all supporting documentation with the DSS coordinator of the host campus program.

The DSS coordinator from the host campus will issue a letter of accommodation for the student, which may or may not differ from the prior letter(s) of accommodation. Consultation between the DSS coordinators from the home and host campuses may take place, if deemed necessary.

**C. Application to and enrollment in a subsequent Antioch University program.** Antioch encourages all qualified students with or without disabilities to further their education by applying to programs offered across Antioch University. However, students should understand that accommodations are not automatically transferable between programs. The DSS coordinator for each program will undertake an independent analysis of the documentation and needs of a qualified student with disabilities.

**D. Enrollment in another AU program on the same campus.** A student who has been enrolled in an AU program and has applied and been admitted to another program at the same home campus and seeks accommodations must notify the campus DSS coordinator, who will determine what accommodations will be provided in the new program. The DSS coordinator may request additional information or documentation from the student. The DSS coordinator will issue a letter of accommodation for the student, which may or may not differ from the prior letter(s) of accommodation.

**E. Enrollment at another Antioch University campus or University-wide program.** A student who is or was enrolled in an AU program and has applied and been admitted to another program offered by another Antioch University campus or University-wide program and seeks accommodations should take the following steps as promptly as possible in order to request accommodations:

1. The student must notify the DSS coordinator of the new program/campus that the student receives or received accommodations and that the former campus DSS file will be sent to the DSS coordinator for review.
2. The student must give permission for the former campus DSS coordinator to share the letter(s) of accommodation and all supporting documentation with the DSS coordinator of the new program/campus.

The DSS coordinator of the new program/campus is responsible for an independent review of the student's documentation and needs. The DSS coordinator may request additional information or documentation from the student.

The DSS coordinator of the new program/campus will discuss accommodations with the student and issue a new letter of accommodation for the student, which may or may not differ from the prior letter(s) of accommodation.

## **PART 3**

### **DISABILITY DOCUMENTATION**

#### **Section 14 Documentation Policy**

In order for reasonable accommodation to be provided for a disability, documentation from a professional service provider must be provided. Professional providers include:

<b>Disability Category</b>	<b>Professional Providers</b>
Attention Disabilities	Psychiatrist/Medical Doctor/Psychologist/ Neurologist
Health and Physical Disabilities	Medical Doctor/Physical Therapist/ Orthopedic Surgeon/Chiropractor
Hearing Disabilities	Certified Otologist/Audiologist
Mental Health Disabilities	Psychologist/Psychiatrist
Specific Learning Disabilities	Psychologist/Neuropsychologist/School Psychiatrist/Learning Disabilities Specialist
Vision Disabilities	Ophthalmologist/Certified Optometrist

Current documentation from a professional service provider must be provided in writing. "Current documentation" is documentation which establishes the existence, nature, and degree of the student's impairment or impairments and the need for reasonable accommodation, and which includes the professional service provider's suggestions and recommendations for effective reasonable accommodation where appropriate. Documentation must include the following:

1. A formal, written, detailed description of the disability, signed by the professional on their letterhead or Antioch University form provided by the DSS coordinator. Documentation should include nature of the disability. If a student with documentation feels that documentation older than three years should be considered, the student should meet with Director of Student Services to discuss the documentation. The Disability Support Services Coordinator makes the decision as to whether the documentation is sufficient to show the student's current impairment and need for reasonable accommodation in the current educational setting. If the documentation provided by a student is determined to be insufficient, the DSS Coordinator will inform the student of the additional information which the student should

try to acquire. At all times, it remains the student's responsibility to obtain documentation determined to be necessary.

Determination of eligibility for reasonable accommodation will be made by DSS Office personnel based upon the documentation provided and discussion with the students. The DSS Office reserves the right to obtain clarification regarding the documentation, if necessary.

Formal evaluation and assessments need to be performed to determine disability. Assessments must be specific as well as comprehensive.

## **PART 4**

### **GRIEVANCE PROCEDURE**

#### **Section 15 Introduction**

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. If at any time, beginning with the process of enrollment and continuing through final matriculation, an individual feels that he/she has been either discriminated against because of disability or not been provided with reasonable accommodation as required by law, the individual is encouraged to notify the Disability Support Services Coordinator on their campus or program. This DSS Coordinator is also the Grievance Coordinator for their respective campus or program. The Disability Support Services Coordinator for each campus or program is set forth in Section 3 of this document.

#### **Section 16 Time Limit for Filing Complaints**

Complaints of alleged discrimination must be filed within 120 days of the alleged incident.

#### **Section 17 General Disability Discrimination Complaints**

Students may file a grievance or complaint for any of the following reasons:

1. The student believes s/he has been harassed or discriminated against because of a disability, because s/he was regarded as having a disability or because they have a history of disability; or
2. The student feels s/he has been retaliated against for pursuing their rights under the ADA or Section 504 or because a/he assisted another student in pursuing their rights under those laws.
3. The student feels that reasonable accommodation was not reasonably granted upon request.
4. The student feels that accommodations indicated in the LoA were not provided by instructor.

## **Section 18 Remedies**

All complaints will be immediately investigated and the student will be provided a written response of the outcome of the investigation. If after an adequate, reliable and impartial investigation it is determined that the University is not in compliance with the law, the University will undertake steps to prevent recurrence of the discriminatory behavior and to correct the discriminatory effects of the alleged unlawful conduct.

## **Section 19 Informal Complaint Procedure**

Students are encouraged, but not required, to try to resolve disability-related complaints informally with the Disability Support Services Coordinator. If no resolution can be reached, or if the student wishes to immediately file a formal grievance based on disability, the following procedure shall be followed:

## **Section 20 Formal Complaint Procedure**

### **A. Step 1: Submit Complaint to DSS Coordinator**

1. Schedule an appointment with the Disability Support Services Coordinator of your campus or program to formally submit the written complaint. The complaint should contain a narrative statement summarizing all relevant facts surrounding the allegations. If the complaint relates to the DSS Coordinator's conduct or a failure of the DSS Coordinator to grant reasonable accommodation, the formal complaint should be initiated at Step 2 below with the DSS Grievance Appeal Officer (GAO).
2. Upon receipt of the complaint or grievance, the DSS Coordinator will investigate the complaint, interview appropriate witnesses and issue findings of fact and conclusions regarding compliance with the law. The response will normally be within fifteen (15) working days after filing the complaint. A longer time may be necessary depending upon the complexity of the investigation. The student will have the opportunity during this investigation to present names of witnesses to be interviewed and other relevant evidence in support of the allegations.

### **B. Step 2: Submit Complaint or Appeal to Grievance Appeal Officer**

1. If the student is not satisfied with the conclusions by the DSS Coordinator, (or if the complaint or grievance relates to the DSS Coordinator or a failure to provide reasonable accommodation) the student may elect to submit a written complaint or appeal to the DSS

Grievance Appeal Officer (GAO) of the campus or program. Appeals must be received in writing no later than five (5) business days after receipt of the Step 1 response. The contact information for the appropriate GAO of each campus or program is set forth in the table below:

Campus	Name of DSS Grievance Appeal Officer	Title or Office	Telephone Number	E-mail Address
Los Angeles	Mark Hower	Provost	310-578-1080 Ext. 408	<a href="mailto:mhower@antioch.edu">mhower@antioch.edu</a>
Midwest	Iris Weisman	Associate Vice Chancellor of Academic Affairs & Student Services	937-769-1890	<a href="mailto:iweisman@antioch.edu">iweisman@antioch.edu</a>
New England (including CMHC)	Shawn Fitzgerald	Provost	603-283-2418	<a href="mailto:sfitzgerald3@antioch.edu">sfitzgerald3@antioch.edu</a>
Santa Barbara	Barbara Lipinski	Provost	805-962-8179 Ext. 5118	<a href="mailto:blipinski@antioch.edu">blipinski@antioch.edu</a>
Seattle	Benjamin Pryor	Provost	206-268-4710	<a href="mailto:bpryor@antioch.edu">bpryor@antioch.edu</a>
Graduate School of Leadership & Change	Laurien Alexandre	Provost	323-666-8181	<a href="mailto:laalexandre@antioch.edu">laalexandre@antioch.edu</a>
AU Online	Terry Ratcliff	Executive Dean	937-769-1351	<a href="mailto:tratcliff@antioch.edu">tratcliff@antioch.edu</a>

2. The complaint shall then be investigated by GAO. The GAO need not interview witnesses formerly interviewed by the DSS Coordinator and may rely on the credibility determinations made by the DSS Coordinator. However, the student has the right to present the names of additional relevant witnesses and any additional evidence relevant to the investigation.

3. The GAO will review the facts and issue findings of fact and conclusions regarding compliance with the law. Such response will normally be provided to the student within fifteen (15) working days of the appeal. A longer time may be necessary depending upon the complexity of the investigation.

**C. Step 3: Submit Appeal to Associate Vice Chancellor**

1. If the student is not satisfied with the findings or conclusions made by the GAO, the student may submit a written appeal to the Associate Vice Chancellor for Academic Affairs and Student Services. Appeals must be received in writing no later than five (5) business days after receipt of the Step 2 response. The contact information for the Associate Vice Chancellor is set forth in the table below:

Campus	Name	Title	Telephone Number	E-mail Address
University-wide	Iris Weisman	Associate Vice Chancellor for Academic Affairs and Student Services	937-769-1890	<a href="mailto:iweisman@antioch.edu">iweisman@antioch.edu</a>

If the appeal is from a decision of the Associate Vice Chancellor of Academic Affairs and Student Services, then the appeal shall be submitted to and heard by Vice Chancellor of Academic Affairs (“VCAA”), whose contact information is set forth below:

Campus	Name	Title	Telephone Number	E-mail Address
University-wide	Chester Haskell	Vice Chancellor of Academic Affairs	937-769-1351	<a href="mailto:chaskell1@antioch.edu">chaskell1@antioch.edu</a>

The review on appeal shall be limited to a review of the file and a review of the process and procedures for conducting the investigation. The prior findings of fact will not be disturbed unless there is a clear abuse of discretion. The Associate Vice Chancellor for Academic Affairs and Student



Services (or VCAA) may adjust the remedy as they deem appropriate based upon the prior findings of fact. The Associate Vice Chancellor for Academic Affairs and Student Services (or VCAA) will respond in writing to the student within fifteen (15) working days of receipt of the written appeal or within a reasonable period of time thereafter depending upon the complexity of the investigation.

2. The decision of the Associate Vice Chancellor for Academic Affairs and Student Services (or VCAA) is the final decision of the University.

3. For purposes of this grievance procedure, any written notice or action may be accomplished through the use of University e-mail. An item will be deemed to be received on the date that it is emailed to the appropriate individual.

4. At each step of the above grievance procedure, the University will make every effort to resolve the issue to avoid the need to move to the next step.

## **Section 21 Office of Civil Rights**

The student has the option to go outside the University for resolution. Doing so will in no way affect a student's right to take full advantage of the University's grievance procedure. Contact information for the local enforcement offices of the Office for Civil Rights in the U.S. Department of Education can be found at [www.ed.gov](http://www.ed.gov) at:

Office for Civil Rights - U.S. Department of Education 400  
Maryland Avenue, S.W.  
Washington, D.C. 20202-1100  
202/245-6800: 1-800/421-  
3481  
Facsimile: 202/245-6840  
TDD: 877/521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

## **Section 22 Retaliation Prohibited**

Retaliation is strictly prohibited against individuals who have raised claims of discrimination based on disability or who have cooperated in an investigative process in some manner. Retaliation is defined as an adverse action taken against an individual as a result of a complaint being filed or after the individual has cooperated with an investigative process. Retaliation is prohibited

whether or not the charged party prevails in the original allegation of disability discrimination. No agent, employee or student of the University may harass, coerce, intimidate, or discriminate against an individual who has filed a complaint or participated in a complaint resolution process. Charges of retaliation will be treated as separate and distinct from the original charges and allegations, and a student may use the same grievance procedure to address his or her claim of retaliation.

## REVISIONS TO POLICY:

Approved:	February 27, 2010 - Resolution 02.27.10:
Revised:	June 1, 2011 - ULC Approved Amendments to Part I, Section 7; June 2011
Revised:	August 30, 2011 - Disability Compliance Coordinator for AUSB updated
Revised	September 9, 2011 - Updated DSS coordinators
Revised:	July 2, 2012 – Under Step 3 Provost and University Provost Contact info updated: Tex Boggs rev to Provost; Ellen Hall replaced Fishbein; and Felice Nudelman replaced T. Murdock
Revised	October 1, 2012 – replace AUS Betsy Raleigh with Greg Schuler
Revised	August 1, 2013 – revise AUS DSS coordinator M.Steyaert with Phoenix Raine; delete Greg Schuler show AUS DSS Compliance Coordinator as open; delete AUM DSS Compliance Coordinator D.Robertson show as open ; show Grievance Appeal Officer to Open.
Revised	September 26, 2013 – Section 9 Antioch University DSS Office Responsibilities, Paragraph 7 – added to end of sentence: to include when appropriate a discussion with each student regarding alternative accommodation(s) and an explanation of the granted accommodation(s).
Revised	September 30, 2013 – S. Hormann added as AUS Compliance Coordinator to fill opening.
Revised	January 2, 2014 – Section 20 Formal Complaint Procedure. Laurien Alexandre replaces Iris Weisman as Ph.D. Program DSS Grievance App Officer. Karen Schuster-Webb replaces Ellen Hall as Midwest Provost
Revised	August 1, 2014 – Policy revised to add procedures for using ELOA; added new Section 13 Procedures for Admissions, Enrollment and Registration of a Qualified Antioch Student with Disabilities within Antioch University; updated DSS campus contacts. Approved by University Provost
Revised	October 15, 2015 – M. Glancy added as AUM Grievance Appeal Officer to fill opening. Y. Wang added as AULA DSS coordinator to fill opening. D. Hocoy added as Provost of AUS.
Revised	August 1, 2016 - DSS Grievance Appeal Officer membership standardized as the CSSO for each campus. Final Appeal officer revised from Presidents and Chancellor to Provosts and University Provost
Revised	October 27, 2016 – Updated to reflect organizational changes – replaced CAO with Academic Dean.
Revised	August 30, 2018 – Updated personnel and contact information.
Revised	July 18, 2019 – Updated personnel and contact information.
Revised	October 15, 2019 – Removed Appendices I, II & III; procedural clarifications; updated personnel.